

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

SAMUEL BANKMAN-FRIED, FTX
TRADING LTD D/B/A FTX.COM,
ALAMEDA RESEARCH LLC,
CAROLINE ELLISON AND ZIXIAO
“GARY” WANG,

Defendants.
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Case No. 1:22-cv-10503-PKC

**DECLARATION OF S. GALE DICK IN
SUPPORT OF [PROPOSED]
STIPULATION AND ORDER OF
SUBSTITUTION
OF COUNSEL**

I, **S. GALE DICK**, declare as follows:

1. I am a partner at the law firm Cohen & Gresser LLP (“C&G”), counsel for defendant Samuel Bankman-Fried (“Mr. Bankman-Fried”) in the above-captioned matter. I am fully familiar with the facts set forth herein.

2. I respectfully submit this declaration pursuant to Local Civil Rule 1.4 in support of the [Proposed] Stipulation and Order of Substitution of Counsel to substitute the law firm of Montgomery McCracken Walker & Rhoads LLP (“MMWR”) as the attorneys of record for Mr. Bankman-Fried in place and instead of C&G.

3. On or about November 21, 2022, Mr. Bankman-Fried retained C&G to represent him in connection with criminal and regulatory investigations related to FTX and Alameda Research, including the above-captioned proceeding.

4. This case was stayed by the Court on February 13, 2023 pending the conclusion of Mr. Bankman-Fried’s parallel criminal case in the Southern District of New York, 1:22-cr-673

(LAK). Because this case has been and remains stayed, and is otherwise in its initial stages, the requested substitution of counsel will not unnecessarily delay this action.

5. Mr. Bankman-Fried has consented to the substitution of attorneys, as evidenced in the Consent to Substitution of Counsel accompanying this Declaration.

6. C&G and MMWR have both executed the [Proposed] Stipulation and Order of Substitution of Counsel accompanying this Declaration.

7. C&G is not asserting any liens in this matter and will continue to share its files with MMWR upon request.

8. C&G has served a copy of this Declaration, Mr. Bankman-Fried's Consent to Substitute Counsel, and the [Proposed] Stipulation and Order of Substitution of Counsel on Mr. Bankman-Fried via MMWR.

I declare under a penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: March 12, 2024
New York, New York

Respectfully submitted,

COHEN & GRESSER LLP

/s/ S. Gale Dick

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